

TEXAS STATE BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS



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MINUTES

Friday, October 16, 2020

The Texas State Board of Examiners of Marriage and Family Therapists met via Zoom video conference on October 16, 2020. The following Board members were in attendance: Jennifer Smothermon, MA, LPC-S, LMFT-S, Chair; Kenneth Bateman, EdD, LPC-S, LMFT-S; George Francis, IV, MBA; Evelyn Husband-Thompson; Lisa Merchant, PhD, LMFT, Vice-Chair; Michael Miller, JD; Anthony Scoma, DMin; and Richmond Stoglin, MPA, DMin, LMFT. Also, in attendance were Darrel Spinks, BHEC Executive Director; Tim Speer, BHEC Director of Operations; Patrick Hyde, BHEC General Counsel; Brian Clark, TSBEMFT Attorney; and Sarah Faszholz, TSBEMFT Board Administrator.

1. The meeting was called to order at 8:32 a.m. by Chair Smothermon.
2. The Board moved into Item 2, approval of minutes:
 - A. Dr. Rev. Scoma made the motion to approve the minutes of the August 14, 2020 Board meeting. Chaplain Stogin seconded the motion. The vote carried.
 - B. Dr. Merchant made the motion to approve the minutes of the January 24, 2020 Ethics Committee meeting. Mr. Francis seconded the motion. The vote carried.
 - C. Chaplain Stoglin made the motion to approve the minutes of the January 24, 2020 Licensing Standards Committee meeting. Dr. Merchant seconded the motion. The vote carried.
 - D. Dr. Merchant made the motion to approve the minutes of the January 25, 2020 Professional Development Committee meeting. Dr. Bateman seconded the motion. The vote carried.
 - E. Dr. Merchant made the motion to approve the minutes of the January 25, 2020 Rules Committee meeting. Mrs. Husband-Thompson seconded the motion. The vote carried.
3. The Board moved into Item 3, the Board's complaint and enforcement functions:
 - A. Ms. Faszholz gave the report on status of open complaints.
 - B. Ms. Faszholz gave the report on compliance activities.
 - C. Ms. Faszholz gave the report on Complaint Review Team activities.
 - D. Ms. Faszholz gave the report on complaint trends.
 - E. Attorney Clark gave the report on cases awaiting informal settlement conference or State Office of Administrative Hearings.

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4. The Board moved into Item 4, licensure and supervision issues:
 - A. Ms. Faszholz gave the report regarding update to applications and forms.
 - B. Ms. Faszholz gave the report concerning licensing matrices.
5. The Board moved into Item 5, jurisprudence exam:
 - A. Ms. Faszholz gave the report regarding quarterly summary from the Board's jurisprudence exam vendor.
 - B. Ms. Faszholz gave the report concerning changes to the Board's jurisprudence exam.
6. The Board moved into Item 6, rules:
 - A. Dr. Merchant made the motion to keep §801.143 of the Texas Administrative Code, regarding American Association of Marriage and Family Therapy (AAMFT) supervisor candidate's eligibility for supervisor status as it currently exists. Dr. Bateman seconded the motion. The vote carried.
 - B. Dr. Merchant made the motion to table the discussion concerning §801.174(g) of the Texas Administrative Code, regarding "submit to reexamination" after license has lapsed.
7. The Board moved into Item 7, orders: Mr. Francis made the motion to approve the Agreed Order related to Case #1062-18-0007 DF. Chaplain Stoglin seconded the motion. The vote carried.
8. The Board moved into Item 8, strategies for communication to stakeholders and stakeholder engagement: No action was taken.
9. The Board moved into Item 9, Association of Marital and Family Therapy Regulatory Boards (AMFTRB) Annual Meeting of State Delegates and Council on Licensure Enforcement & Regulation (CLEAR) Conference: Chair Smothermon and Dr. Merchant gave the reports.
10. The Board moved into Item 10, report from the Board Chair: Chair Smothermon gave the report.
11. The Board moved into Item 11, report from the Executive Director: Director Spinks gave the report.
12. The Board moved into Item 12, future priorities and activities of the Board: No action was taken.
13. The Board moved into Item 13, public comment:
 - A. Pamela Bermender, LMFT-S, representing the Christian Counselors of Texas' Governmental Liaison Committee, expressed appreciation for each Board Member's dedicated service.
 - B. Jodie Elder, PhD, LPC-S, LMFT-S, Texas Counseling Association Liaison, invited all to TCA conference in November, thanked Dr. Bateman and Chair Smothermon for session preparation, affirmed Board's efforts in identifying complaint trends and including questions on the Board's jurisprudence exam to increase awareness of common rule violations, appreciated Board's concern of customer service challenges, applauded the Consolidated Rulebook on the BHEC website, echoed need for online licensing application, expressed concern of non-public committee consultations since they lack transparency, stated that Board's email update regarding new adopted rules has not been received, thanked staff, Board and Chair, Jennifer Smothermon, and announced her departure as TCA Liaison to the Board.

- C. Jason Martin, PhD, LPC-S, LMFT-S, representing Texas Association of Marriage and Family Therapy, thanked Chair Smothermon and Mr. Miller for their service on the Board, expressed concern of non-public committee consultation since this undervalues the public participation in public committee meetings, noted he did not receive Board's survey of AAMFT Approved Supervisors, stated TAMFT is considering creation of its own supervisor training program, announced TAMFT in March 2021 in Austin (but likely to be online), announced planning for online conference for students in late May or early June and invited Board's participation.
 - D. Valerie Turullois, noted license-issue-date error in the recent transition from HHSC to BHEC database.
- 14. The Board moved into Item 14, executive session: The Board did not enter into executive session.
 - 15. The Board moved into Item 15, pending or contemplated litigation or settlement offers: No action was taken.
 - 16. The Board moved into Item 16, announcements and comments: Texas Counseling Association (TCA) to hold online Annual Professional Growth Conference November 11 – 13, 2020, with Chair Smothermon and Dr. Bateman presenting a session; and Texas Association for Marriage and Family Therapy (TAMFT) to convene 2021 Annual Conference March 4 – 6, 2021 with Dr. Merchant and Dr. Bateman presenting a session.
 - 17. The meeting was adjourned at 3:22 p.m. by Chair Smothermon.